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TAGS: [PGOV](#) [PHUM](#) [PREL](#) [EAID](#) [BM](#)
SUBJECT: GOB PLANS DRACONIAN REGULATIONS FOR UN/NGOS

REF: A. RANGOON 138

[1](#)B. RANGOON 93
[1](#)C. RANGOON 79

Classified By: P/E Chief W. Patrick Murphy for Reasons 1.4 (b,d)

[1](#)1. (C) Summary: The Burmese regime plans invasive new guidelines increasing its control over UN agencies and NGOs and further restricting the delivery of international assistance. If implemented, the draconian regulations would assign GOB ministries sweeping authority, including oversight of all UN and NGO hiring, travel, and financial transactions.

While the GOB feigns a desire to coordinate assistance more efficiently, the real motive appears to be entirely political, including the granting of extra powers to the regime's notorious mass-member "civic" organizations. The GOB's latest efforts to restrict international organizations are far more comprehensive than previous attempts. Even if UN agencies and INGOs find a compromise, the regime has now broadened its climate of fear to encompass the international organizations. End Summary.

[1](#)2. (SBU) The GOB's Ministry of National Planning and Economic Development has convoked all UN agencies and international NGOs to a "coordination" meeting on February 7. According to Embassy sources, the GOB will use the meeting to announce a new set of comprehensive and invasive guidelines governing the activities of all UN agencies and INGOs operating in Burma.

[1](#)3. (C) On February 3, GOB officials distributed a "draft" of the new guidelines to UN and INGO representatives. Embassy contacts among the international assistance community are uncertain whether the GOB is willing to negotiate the new guidelines, but the UN agencies and INGOs have steeled themselves for what they expect to be a one-way lecture on February 7, not an opportunity to exchange views with GOB officials.

¶4. (SBU) If implemented, the "draft" guidelines would drastically impair the delivery of humanitarian and development assistance inside Burma. Although the GOB describes its new guidelines as necessary for coordination and long-term development planning, the draft document also reveals the GOB's political motives by stating they are designed "to prevent by all means those who try to jeopardize State sovereignty" and "to make the world know, through international organizations, the true situation in Myanmar."

¶5. (SBU) The draft guidelines, which we obtained from NGO sources, also make clear the regime's intention to control and closely monitor the activities of all UN agencies and INGOs. In addition to a myriad of bureaucratic mazes that aid organizations already must navigate to implement projects, the guidelines would establish several new operating requirements, including:

--All project proposals must be in line with the GOB's "overall objectives," which include the political goals cited above in para 4;

--UN agencies and INGOs must recruit all of their local staff from lists provided by GOB ministries;

--GOB ministries must approve the hiring of all expatriate staff;

--The Ministry of Planning will assign a liaison officer to accompany any visiting UN and INGO staff on their domestic travel;

--UN agencies and INGOs must submit visa applications for all "expatriate consultants" six weeks ahead of their travel;

--All donor organizations must open an account with the Myanmar Foreign Trade Bank and transfer all funding to that account. The organizations may withdraw funds only in non-convertible FECs (Foreign Exchange Certificates);

--The GOB prohibits organizations from conducting research or publishing material that it has not specifically approved.

¶6. (SBU) The GOB's intention to create new "State and Division Coordination Committees" may be the most troubling new development for UN agencies and INGOs. Various GOB representatives will head the local committees, but membership will also include officials of the GOB's most notorious mass-member organizations: the Union Solidarity and Development Association (USDA), the Women's Affairs Federation, and the Myanmar Maternal and Child Welfare Association (MMCWA).

¶7. (SBU) According to the draft guidelines, the local "Coordination Committees" will have sweeping powers, including the authority to approve domestic travel of expatriate UN and INGO staff and the right to monitor projects to "ensure that activities do not fall outside the scope of work."

COMMENT: NO FRIENDS IN HIGH PLACES

¶8. (C) Several INGO sources, who have worked in Burma since the early 1990s, tell us that the GOB has attempted to impose several of these restrictions at different times over the past decade. UN agencies and INGOs have actually found creative solutions to ignore or to work around most restrictions, in some cases by enlisting the support of sympathetic generals or senior government officials. These same INGO veterans, however, tell us that the current smothering environment of draconian restrictions is without precedence. As the noose gets tighter, senior level patrons increasingly lack the will or capacity to defend the good work of international organizations in Burma.

¶9. (C) UN agencies and INGOs also tell us that they would find it impossible to function under the GOB's new guidelines, if implemented. The GOB may insist on the

tighter restrictions or it may back down in the face of widespread protest or non-compliance by the aid organizations. Regardless, the regime has broadened a climate of fear felt by the general population to encompass international organizations. An unnerving mood of uncertainty and apprehension has settled among local UN and INGO staff as they contemplate a grimmer future. As the regime demonstrated in restricting the Global Fund to the point that project managers terminated the program, the welfare of the Burmese people comes second to generals' need to control all aspects of public life. End Comment.

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